

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IRREVOCABLE TRUST of
ANTHONY J. ANTONIOUS,**

Plaintiff,

v.

NIKE, INC.,

Defendant.

Civil Action No. 11-cv-06327
(KM)

**ORDER
(*Markman Patent Construction*)**

The Court in this patent infringement action having held a hearing on April 29, 2013, for the purpose of constructing contested terms in the '754 patent at issue, pursuant to *Markman v. Westview Instruments*, 52 F.3d 967 (Fed. Cir. 1995); and the Court having considered the submissions, evidence, competing constructions of disputed terms, and arguments of the parties; and the Court having filed simultaneously herewith an Opinion setting forth its reasoning; and good cause appearing therefor;

IT IS this 8th day of January, 2014

ORDERED, for the reasons expressed in the accompanying Opinion, that the disputed terms in the '754 patent at issue in this case shall be constructed as follows:

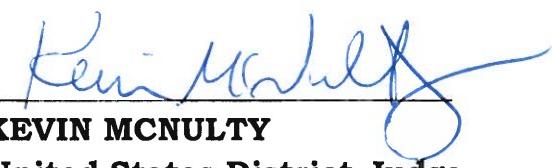
(Claims 1 and 9) *Substantially parallel with/to* means that the plane defined by the c-shaped slot and the plane defined by the substantially flat bottom surface/sole of the club are essentially parallel to each other, and the c-shaped slot does not extend into the side walls or skirt.

(Claims 1 and 9) *C-shaped slot* means an aerodynamic slot characterized by a c-shaped profile, in the sole/bottom surface, not the sidewalls, of the golf club head.

(Claim 1) *Skid surface* means a surface of the golf club head formed on and raised from the bottom surface so as to extend outwardly from the bottom surface/sole, separated from the bottom surface by the spacer wall, and designed to skim across the ground when the club head is swung.

(Claim 1) *Wall separating said skid surface from said bottom surface* means a spacer wall separating the bottom surface from the skid surface, where the spacer wall, along a substantial portion of its width, is separate and distinct from the perimeter walls of the c-shaped slot.

(Claim 9) *Offset from* means existing or disposed at a displacement from the virtual centerline of the club head.



KEVIN MCNULTY
United States District Judge